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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: Adams et al	§
Ser. No.: 10/762,768	§ Art Unit: 3653
Filed: 01/22/2004	§
For: Shaker Screen And Clamping Systems	§ Examiner: Kohner, Matthew J.
	§
	§ Atty File: SC 040 CIP
	§
	§ Conf. No. 3111

PTO Please note-This is
only one Response to an
Office Action w/ copies of
two previous Responses
attached. Thank You

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,755	01/23/2002	Thomas C. Adams	SC 040	9532
7590	12/02/2003		EXAMINER	
Guy McClung 16690 Champion Forest Drive Spring, TX 77379-7023			JOERGER, KAITLIN S	
			ART UNIT	PAPER NUMBER
			3653	

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No.

10/057,755

Applicant(s)

ADAMS ET AL.

SC
040

Examiner

Kaitlin S Joerger

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

Mailed
12/02/2003

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Election filed on 15 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-45 and 49 is/are pending in the application.
- 4a) Of the above claim(s) 1-26, 46-48, and 50 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-45 and 49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/23/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5-7, 11, 12.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 29-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 29 recites, "at least one opening in the body, said at least one opening sized, configured, and located for receiving an upstanding connector of the body for releasably securing the wear strip to the body." This claim does not make sense as it states that the wear strip has an opening in "the body" for receiving a connector of "the body" for releasably securing the wear strip to "the body." It is unclear to the examiner exactly what is being connected to what and how and "the body" is used several times and it is believed by the examiner that "the body" refers to at least two different things. It would be much less confusing if the applicant used different nomenclature for the body of the wear strip and the body of the mounting structure, or whatever else the applicant is referring to.

Claim 35 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 35 recites, "The wear strip of claim 27 wherein the body comprises a deck of the shale shaker." This is confusing because claim 27 states that the wear strip is for attaching to a

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mounting structure of a shale shaker and comprises a body. If the wear comprises a body and is for attaching to a shale shaker it is unclear how the body of the wear strip can further be defined as the deck of the shale shaker. It would seem that the applicant is then claiming that the wear strip is attached to itself, and this does not make sense.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 27, 28, and 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Galton et al.

Galton et al. teaches a wear strip, 40, for attachment to a mounting structure, 10, of a shale shaker to which a screen assembly, 30, is releasably mounted. The wear strip of Galton comprises a body, 41, a plurality of upwardly projecting members, 45, which are configured to be receivable in a corresponding hole in the screen assembly, 30. Galton further shows in figure 1 that the shape of the upwardly projecting member is a circle.

Claims 39-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Boccabella et al.

Boccabella teaches a screen assembly, 57, for releasable mounting to a mounting structure, 49. The mounting structure comprises a body, which comprises supports 53 and 55, which form a grid pattern so that water, treated by the shaker, can flow through the body, a plurality of upwardly projecting members, 91, projecting up from the body, where the upwardly

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projecting member is receivable in a corresponding hole, 89, in the screen assembly, see figures 2, 3, and 3A.

The screen assembly comprises a frame of supports, 81, 83, 85, and 87, screening material, 67, mounted on the support, and a plurality of holes, 89, for receiving the upwardly projecting member of the mounting structure, see figure 3 and 3A. The screen assembly further comprises downwardly projecting members, 114, projecting downwardly from the support, and configured for receipt within holes, 65, of the mounting structure, see figures 5A through 5C and column 6, lines 23+.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 29-35, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galton et al.

For the purposes of examination the examiner is assuming that claim 29 is reciting that the mounting structure has an upstanding member projecting from it and configured to fit into a hole formed in the body member of the wear strip.

Galton et al. does not teach that the mounting structure has an upstanding member, but he does teach that the wear strip body member has a plurality of holes along its length, starting from one end and continuing to the other. AS shown in figure 4, the hole in the wear strip is provided

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so that an upstanding member, 46, may pass through. Galton, unlike the applicant, shows that the upstanding member passes through a hole in the wear strip and fits into a space in the mounting structure, thereby serving to releasably secure the wear strip to the mounting structure. The applicant claims that the upstanding portion is located on the mounting structure and is inseted into a hole in the wear strip. The examiner believes that this minor difference in design does not significantly improve the applicant's invention over the prior art, and that the two mounting attachments are functionally equivalent. Therefore, the examiner has determined that the applicant's attachment mechanism is not patentably distinct over the prior art.

Galton further shows that the screen assembly rests on top of the wear strip, and therefore the wear strip exerts an upward normal force on the screen assembly, see figure 3. The wear strip is also shown to be attached to the deck of the shale shaker in figures 3 and 4.

Lastly, Galton teaches that the bottom upstanding member is formed as a tapered piece, where the bottom is larger than the top. It would have been obvious to one of ordinary skill in the art to design the upwardly projecting member that connects the wear strip to the screen assembly is one desired to alter and modify the connecting mechanism of the wear strip and screen assembly.

Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boccabella et al. in view of Galton et al.

Boccabella teaches a shale shaker system for separating solids from a fluid comprising: a base, 25, a screen mounting basket, 21 and 13, 15, and 17, and a vibrating apparatus, 33, for vibrating the screen mounting basket, see column 3, lines 36+.

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The screen mounting basket comprising a mounting structure for at least one screen assembly mounted on the mounting structure, wherein the mounting structure comprises a body, which comprises supports 53 and 55, which forms a grid pattern so that water, treated by the shaker, can flow through the body, a plurality of upwardly projecting members, 91, projecting up from the body, where the upwardly projecting member is receivable in a corresponding hole, 89, in the screen assembly, see figures 2, 3, and 3A.

He further teaches a screen assembly that comprises a frame of supports, 81, 83, 85, and 87, screening material, 67, mounted on the support, and a plurality of holes, 89, for receiving the upwardly projecting member of the mounting structure, see figure 3 and 3A. The screen assembly further comprises downwardly projecting members, 114, projecting downwardly from the support, and configured for receipt within holes, 65, of the mounting structure, see figures 5A through 5C and column 6, lines 23+.

Boccabella does not, however, teach a wear strip for mounting on the mounting structure between it and the screen assembly, but Galton does. Galton teaches a wear strip, 40, attached to a mounting structure. The wear strip comprises a wear strip body, 41, and at least one upwardly projecting member projecting up from the wear strip body, 45.

It would have been obvious to include the wear strip of Galton in between the screen assembly and the mounting structure of Boccabella if one so desired to reduce cost by adding an extra layer between the mounting structure and the screen assembly and thereby decreasing the wear on the screen assembly, and therefore decreasing the frequency of the need for screen replacement.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaitlin S Joerger whose telephone number is 703-305-8503. The examiner can normally be reached on Monday - Friday 9-5.

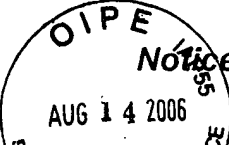
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on 703-306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-308-0552.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

ksj


20 November 2003

DONALD P. WALSH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

	Application/Control No. 10/057,755		Applicant(s)/Patent Under Reexamination ADAMS ET AL.	
	Examiner Kaitlin S Joerger		Art Unit 3653	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,372,261	12-1994	Galton et al.	209/399
	B	US-5,816,413	10-1998	Boccabella et al.	209/399
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.